

CM/ECF NEWS

U.S. District Court, Western District of New York

July 2004

Tips and Tricks

What Not to File: Some documents are not found on the attorneys' pick lists for good reason. One such document is a Consent to Jurisdiction by US Magistrate Judge. A Consent to Jurisdiction is filed only when it has been executed by all parties. In order to prevent a partially executed consent from being filed by a non-court user, the CM/ECF system does not list the Consent to Jurisdiction event on the attorney pick list. When you have a fully executed consent to file, you will have to file it conventionally so that a court user can docket it.

Inside:

Upgrade to Version 2.0 Scheduled .	2
Links and Web Sites	2
We Heard You	2
What To Do If/When?	3
CM/ECF Contact Info	3
The Coach: Attorney Signatures . .	4
Thanks to You	4
Potential Achieved Chart	5

ANOTHER IMPORTANT NOTICE TO AOL USERS

Many courts have reported that AOL, in its efforts to block spam, is blocking emails sent from the courts' gateways to AOL addresses. Even if AOL users set their preferences to allow court mail, AOL may be blocking it. Also, it has come to our attention that AOL is actually reading the email messages in order to determine if there is inappropriate content. If you are using an AOL email account for your Notices of Electronic Filing, it would be wise to set up a second user on another ISP account to receive copies, so you don't miss anything. Contacting AOL yourself may help, also.

Upgrade to Version 2 Scheduled

The long-awaited upgrade to Version 2 will be accomplished over the weekend of July 24 and 25. CM/ECF will not be available for filing that weekend. Please refer to the notices that we post on the CM/ECF login page for up to date information on down-times.

Web Sites You Will Need

<http://pacer.psc.uscourts.gov/cmecf/index.html>
<http://pacer.psc.uscourts.gov/>
<http://www.gand.uscourts.gov/cmecf/cmecfhome.htm>

New Scanner Technology Information

Published 7/15/2004 at:

<http://www.nytimes.com/pages/technology/index.html>

»»»»»»»» **We Heard You** <<<<<<<<<<<

We have published a matrix for your use in determining which of our judges desire courtesy copies on what documents, how to submit stipulations and proposed orders for each judge, and other information specific to each chambers. The matrix is available on our website for printing or downloading.

Also, our website is being redesigned to make it easier for you to find important CM/ECF information.

What To Do If/When?

You forgot your username and/or password: Fax or mail a letter requesting new information to Jeanne Spampata, USDC, 68 Court Street, Room 304, Buffalo, NY 14202. Fax number is 716-551-4850. We can generally accommodate your request within two working days. We will email the new information to the primary email address listed in your profile if your letter gives us permission to do so.

Your association with a case has ended, but you keep getting notices you don't want: It is the Court's policy to continue noticing even if an attorney's association with a case is terminated. We will, however, stop the noticing if you send us a copy of the NEF you received with a cover letter requesting us to do so. We do this on a case-by-case basis only.

You don't know if you are logged on to CM/ECF or PACER: Look at the menu running horizontally across the top of your screen. If it reads "Civil, Criminal, Query, Reports, Utilities, Logout," you are in CM/ECF. If it reads "Query, Reports, Utilities, Logout," you are in PACER. PACER does not allow e-filing; ECF does.

It's after working hours and you need help: Log on to www.nywd.uscourts.gov and check the Administrative Procedures Guide or the User Manual. You should be able to find what you need. If you still need help, call the Help Desk and leave a voicemail, giving your name, number, case number, time of your call, and problem. Someone will get back to you, first thing, the next working day. If you know you will be filing something after hours, it's a good idea to call the Help Desk before the end of the working day to go over procedures if you're unsure of something. *If you have a large document or multiple attachments, do not wait until the last minute; large documents can take time to upload.*

You can't find your document on one of the pick lists: Please call the Help Desk for assistance. Creativity undermines the system.

CM/ECF Contacts:

Jeanne Spampata	716-332-1756
Pat Healy (On-Site Demos)	716-332-1770
Jean Marie McCarthy	716-332-1711
Buffalo Help Desk	716-332-1775
Rochester Help Desk	585-613-4036
Buffalo Training Info (Suzanne)	716-332-1712
Rochester Training Info (Tricia)	585-613-4018

The Coach

One of the most common e-filing errors that will cause us to call you and ask you to refile your document is your allowing someone other than you to log on (using their login and password, not yours) and file your document for you. CM/ECF courts around the country have adopted the same requirements regarding this: “The username and password required to submit documents to the Electronic Filing System serve as the Filing User’s signature on all electronic documents filed with the court. They also serve as a signature for purposes of Fed.R.Civ.P. 11, ... the local rules of this court, and any other purpose for which a signature is required in connection with proceedings before this court.” That text is taken directly from our Administrative Procedures, available on our CM/ECF website. The following is excerpted from the Administrative Procedures of Eastern District of Missouri: “The use of an attorney’s electronic filing login and password to file a document constitutes the signature of that attorney on that document for all purposes, including Fed.R.Civ.P. 11. The login and password issued to an individual attorney may be used only to file documents on behalf of that attorney.” If someone else files a document for you, using their username and password, they have signed that document, not you, no matter what the scanned document indicates.

If you need to have a document filed and you cannot do it yourself, you should entrust your username and password with someone who can then act as your authorized agent, as described in the Administrative Procedures Guide on page 2, under 1(c)(v). Click on this link to be taken to our Administrative Procedures information:

http://www.nywd.uscourts.gov/cmecf/tutorial_admin.php

 Thanks to You 

NY-Western is still in the top ten in the country for attorney usage of CM/ECF. In this district, attorneys docketed 60% of their own filings, as you can see from the chart on the next page. The Administrative Office of U.S. Courts analyzes CM/ECF usage monthly in order to determine best practices for implementation and training. We are proud of our staff, and all of you, for helping us to achieve one of the best scores in the country.

CM/ECF District Court Activities as of 6/30/2004

